

**REMARKS**

Applicant wishes to thank the Examiner and the Primary Examiner for granting an interview with applicant which was held by telephone on November 21, 2006. During the interview, the invention and the prior art was discussed at length. It was agreed that claim 8 would be amended to depend from claim 6 as suggested by the Examiner and that claim 6 would be amended to distinguish the subject invention from the prior art, particularly as taught in the reference Canfield (USP 5,210,888). It was proposed and tentatively agreed that the guide surface would be defined as having a continuous curvature which is slanted in a direction toward the second hinge axles, such that when the covers are opened, the covers will necessarily move upward and forward along the curved slant surface in the slanted direction.

The rejection of claims 8-11 under 35 UCS 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, is respectfully traversed.

Applicant has amended claim 8 to depend from claim 6 as suggested by the Examiner. Accordingly, the rejection of claim 8 based upon incorrect dependency is now believed to be overcome. The rejection of claims 8-11 under 35 USC 112, second paragraph, based upon this, should now be withdrawn.

The rejection of claims 6 and 8-11 under 35 USC 112, second paragraph, as being indefinite based upon the allegation that the phrase "so that when the covers are opened the covers are moved upward and then forward" relates

only to the use for the device and does not define structure is respectfully traversed. Claim 6 has been amended to define the structure causing the covers to necessarily move upward and forward along the guide surface.

Accordingly, the rejection of claims 6 and 8-11 under 35 USC 112, second paragraph, should now be withdrawn.

The rejection of claims 6 and 8-10 under 35 USC 103(a) as being unpatentable over applicants disclosed prior art in view of Miller and Canfield is respectfully traversed.

Applicant has amended claim 6 in accordance with the telephone interview to define the guide surface as having a continuous curvature which is slanted in a direction toward the second hinge axle such that when the covers are opened, the covers will necessarily move upward and forward along the curved surface in the slanted direction.

As explained during the interview, Canfield discloses a cam surface 27 corresponding to the notation A' in the illustration of Fig. 6 of Canfield in the outstanding Office Action on page 6. The cam surface 27 in Canfield is a complex configuration used in a tent assembly as taught in Canfield for opening and closing a tent having no relevance to the subject invention. However, to clearly distinguish the function of the guide surface for the food table as defined in claim 6, applicant has amended the language in the last paragraph so that it is now clear that the guide surface has a continuous curvature which is slanted in a direction toward the second

hinge axle such that when the covers are opened, the covers will necessarily move upward and forward along the curved slant surface in the slanted direction.

In Canfield, the part of the cam surface 27 designated A' by the Examiner is clearly not a continuous curvature slanted in a direction toward the second hinge axle (pin 49 in Canfield). Moreover, the structure and function of the guide surface in claim 6 is clearly different from the function and curvature of the cam surface 27, even the part designated A' in Fig. 6.

It is once again emphasized that the teaching of Canfield relates to an entirely different structural assembly which has an entirely different objective from that taught in the subject application. The Examiner has not shown how it would be obvious to incorporate a hinge assembly from a structure used to open and close a foldable tent into the structure shown in Miller much less how to modify the design of Canfield without applying hindsight to fulfill the motivation requirement in a rejection under 35 USC 103 for combining Canfield with Miller.

For all of the above reasons, claim 1 is clearly believed to be patentable over the references cited by the Examiner taken individually or in combination.

Claims 8-10 are dependent upon claim 6 and are believed patentable for the same reasons as given above.

Reconsideration and allowance of claims 6 and 8-11 is respectfully solicited.

Respectfully submitted  
Attorney for Applicant,

By: 

Eugene Lieberstein  
Registration No. 24,645


Dated: November 22, 2006

CUSTOMER NO. 01109

ANDERSON KILL & OLICK, P.C.  
1251 Avenue of the Americas  
New York, New York 10020-1182  
(212) 278-1000

#### CERTIFICATE OF MAILING

I hereby certify that this *Amendment* is being deposited with the United States Postal Service via First Class Mail addressed to Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November ~~30~~, 2006.

  
Audrey de Souza